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Coastal City Adaptation Project (CCAP) Institutional Assessment of Pemba and Quelimane Municipalities: Recommendation Report



November 2014

This document was produced for review by the United States Agency for International Development. It was prepared by Vedor Lda. for Chemonics International Inc. under the USAID Coastal City Adaptation Project, contract number AID-656-C-14-00001.

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Cover photo: Flooded area in Pemba after the downpours of February 2014.

ACRONYMS

ANAMM	National Association of Municipalities of Mozambique
CCA	Climate change adaptation
CCAP	Coastal City Adaptation Project
CGR	Local Committee for Disaster Risk Management
CSO	Civil society organization
DAF	Directorate for Administration and Finance
DMI	Disaster Management Institute
DPOPH	Provincial Directorate for Public Works and Housing
DPPF	Provincial Directorate for Planning and Finance
DRR	Disaster risk reduction
DUAT	Land use right
DUC	Directorate for Urbanization and Construction (recently changed to Department of Urban Planning)
EDM	Mozambique Energy Supply Company
EGFAE	General Staff Regulations for Public Servants, Officials and Agents
EMUSA	Municipal Sanitation Company
FAPF	Faculty of Architecture and Physical Planning
FERPU	Fund for the Reduction of Urban Poverty
FFH	Funding for Housing Promotion
FIPAG	Investment Funds and Assets for Water Supply
HR	Human resources
HRD	Human Resources Director
IFAPA	Public Administration Training Institute
INEFP	National Institute of Employment and Vocational Training
INGC	National Institute of Disaster Management
IPRA	Tax for Municipal Building
MAE	Ministry of State Administration
MICOA	Ministry for the Coordination of Environmental Affair

PC	Public company
PCC	Pemba City Council
PDT	Provincial Directorate of Tourism
PIREP	Integrated Program for Reform of Vocational Education
PP	Participatory planning
PPP	Public private partnership
PPR	Program for Poverty Reduction
QCC	Quelimane City Council
RMC	Risk management committee
SISA	Tax on the Transfer of Property
STTA	Short-term technical assistance
UEM	Eduardo Mondlane University
UFSA	Functional Unit and Procurement Supervisor
UGEA	Entity for the Management and Execution of Assets

INTRODUCTION

This report summarizes the main findings from the Institutional Assessment of Pemba and Quelimane Municipalities Report, prepared by Vedor Lda. under a subcontract issued by the USAID Coastal City Adaptation Project (CCAP). After a brief discussion of the political environment, the subcontractor describes the major institutional weaknesses its staff identified during the assessment and then provides their recommendations for both CCAP and respective municipalities to address key institutional issues related to the provision of climate resilient services.

PEMBA CITY COUNCIL

POLITICAL ENVIRONMENT

The general political environment (citizens, municipal staff, civil society organizations and the population) of Pemba's Municipality is characterized by indifference. Institutions do not seem to hold much credibility. This is in part due to the fact that the whole Pemba City Council's (PCC) structure, both vertical and horizontally, is very much politically-oriented in its acts, and it is clearly visible that it is imbedded with the unique party philosophy and *modus operandi* in its essence. The decisions on major investments come from the central level, with general disregard for the ability of the municipal infrastructure, training personnel and citizens to absorb the changes.

Within Pemba City Council's structure, decisions are made by a small group of people, based primarily on trust. These people do not work on a full time basis due to their other personal interests, some of which conflict with the positions they currently hold. Those same people hold privileged inside information and often fail to share it with the actual implementers. There are few information sharing mechanisms in place between Provincial Government and Municipal agencies. There is exchange of information among individuals who personally know each other and who have access to and actually take part in the Provincial Government meetings. The Municipality is very dependent on these institutions to have access to information and data. However, when the data is gathered and is in their possession, often it is not processed or preserved for future use, should the need arise.

The directors and the technical staff of the municipality are mere implementers of decisions that already been taken. In general, the actions are almost all implemented as if they were campaigning for elections. There is little compliance with municipal ordinances. The Municipal City Police does its work without supervision skills, knowledge and tools. There is no "clarity" about who should inspect works of tourism investment. The council thinks it should be the Provincial Directorate of Tourism (PDT).

Civil society organizations (CSO) have little input. They are never invited to participate in the City Council meetings. A handful of influential people, from the private sector, who are supporters of the ruling party in the municipality do provide support to various actions that are specifically and clearly campaigning activities.

The structures of the districts are equally highly politicized. Very few activities for improving life quality are undertaken. There are no consistent community awareness programs for climate change adaptation (CCA). The municipality does not allocate dedicated, structured

areas with basic infrastructure for constructions. Hence, people tend to build haphazardly in districts that are close to the facilities provided by the city. The municipality claims that there are no areas for land allocation. However, physically it can be observed that there is a lot of available land that is not used, but owned by “someone” which presupposes land grabbing, leading to land conflicts. The municipality has legal instruments to minimize these problems (i.e. Regulation of Urban Soils).

Recommendations: The municipality should adopt participatory planning (PP) that involves relevant actors in the society, such as community members, the civil society and the private sector, in discussions of the main problems and the solutions that affect the day-to-day life of the municipality. This will give voice to the citizens. Communication should improve regular dialogue between the Municipality and other actors of the society. Concerning the access to information, the municipality should create a database that reflects the decisions of PP and other relevant issues and keep it updated as a way to create an institutional memory and that is not a follower or dependent on the mobility employees.

INSTITUTIONAL WEAKNESSES OF PEMBA CITY COUNCIL

DELEGATION OF RESPONSIBILITIES

The leadership positions are generally allocated based on trust. In the overall city councils structure, decisions are made by a small group of trusted people, who do not work on a full time basis, given to their other personal interest, some of which even conflict with the positions they hold.

Recommendation: Decentralization is an imperative. Given that the Council members are people assigned based on political trust, and do not work on a full time basis, the department directors and other key staff should be appointed based on technical competence. If this is not possible, they should undergo training and be held accountable for their own actions. The Municipality should rethink its role and start playing its role as an organization that provides services to its citizens, and not continue regarding itself as a mere State institution.

THE PLANNING PROCESS

The PCC has mandated the Advisors for Communication, Press, Liaison with the Community, and the Planning Director to, jointly work in putting together a proposal of implementation of a participative planning process. The people responsible for this activity have been benefiting from training within the framework of exchange programs with the other municipalities. There are some vague ideas on how to move forward. In fact, a form for identification of the priority projects within the communities already exists. Nevertheless, the methodology to be used for the purpose, that requires the development of strategies, methodologies and community participatory processes appropriate to the Municipality are not yet in place. The Communication Advisor informed us that “the proposal is being matured and they expect to have it completed along the year so that they can initiate implementation in 2015.”

Recommendation 1: In spite of the apparent existing internal capacity to undertake the participative process, PCC will need external support to do so, assuming that it still intends to initiate the process in 2015. It worth mentioning that the person responsible for ensuring that this process is undertaken, and the Advisors for Communication, Press, Liaison with the Communities, besides their countless responsibilities, will be deeply involved in the political campaigning.

Recommendation 2: What seems apparent is that there is lack of political willingness to kick start this process. PCC is now on its fourth mandate, always the same ruling party at the helm. Other municipalities, with significantly less resources, equal or inferior classification are more advanced and are currently consolidating their practices and improving processes. It has been 20 years now, but PCC still does not have any experience whatsoever of PP.

SHORT, MEDIUM AND LONG TERM PLANS

The resettlement programs of communities in the risk prone areas, or affected by climatic events must abide to what is established under the Law 31/2010 on urban resettlement. The implementation of partial urbanization plans will require resources to compensate the landowners.

Recommendation: Mobilize resources for the resettlement process and the implementation of partial urbanization plans. Develop synergies with government entities such as FIPAG, EDM, FFH, DPOPH for implementation of social infrastructure support in resettlement areas and expansion areas. Prepare and sensitize communities to the problems that may arise from climate change.

HUMAN RESOURCES

In addition to the reasons for work related absences or for attending training, many senior employees do not work on a full time basis in the Municipality, which leads to a large polarization of functions and their unaccountability regarding compliance with the deadlines. The technical staff can perform routine activities, but there is a huge lack of technical capacity to perform even basic functions, such as, for example, payroll preparation.

Recommendation: The lack of knowledge of normative documents and/or their misapplication reflects the need for training of technical and senior staff of PCC in matters related to their areas of activity to avoid situations of unaccountability. It is vitally important that there is interaction and collaboration between municipal departments and between the municipality and other institutions, to discuss common issues that require joint and concerted action must. Thus we propose:

1. Define the structure of the department and prepare terms of references (ToRs) for each function/role/position in harmony with the Organizational Chart and Organic Statute;
2. Redistribute the existing qualified staff, in the key areas of the department;
3. Hold people accountable;
4. Empower them in specific areas considering the nature of the functions and roles assigned to them, including training courses in basic computer skills (Word, excel, PowerPoint, internet, Access);
5. Accelerate the deployment and use of the computer software programs on Human Resources (HR), designated “SIGM” HR;
6. Design an orientation training for newly admitted staff;
7. Develop an annual training plan for all employees, on issues that are relevant to municipal management (HR, Finance, Assets), including training and refresher courses for technical office employees in the use of equipment to issue DUATs, mapping and land management;
8. Design a plan for monitoring and evaluation of activities to be discussed regularly in inter-departmental work sessions; and
9. Organize a municipal library with internal legislation and consultation papers for municipal employees.

FINANCIAL RESOURCES

PCC has as a Councillor for Planning and Finance, a very experienced technician in municipal management matters and with a business vision, a fact which brings an added value, not only for the municipal finances management portfolio, but also for advice on many fundraising related matters. PCC's business plan and budget demonstrate the concern of the City Council in seeking ways to improve performance and provide solutions to some of the various problems of public infrastructure, particularly access roads, in observance of its annual plan of activities.

Recommendation: Use this capacity and vision to fundraising and improve the performance of the local authority.

RULES, LAWS AND REGULATIONS

The lack of knowledge of the normative documents or its misapplication, such as municipal ordinances, reflect the need for training of PCC's technical and senior staff on matters related to their areas of activity to avoid situations whereby people are not held accountable for what they do.

Recommendation: It is of vital importance to promote interaction between the municipal departments, and cooperation between the municipality and other institutions for discussing issues of common interest, which actions has to concerted, such are the cases of the Provincial Directorates of Tourism, Trade and Industry, Disaster Management Institute (DMI), among others.

CSO AND COMMUNITY PARTICIPATION

The need to implement the participatory process is recognized because it will encourage communities to collaborate with PCC in routine activities associated with CCA and disaster risk reduction (DRR). Consistent CSO involvement in municipal activities can activate the confidence to develop fruitful and mutually beneficial partnerships for the parties concerned.

Recommendation 1: Invite CSOs to discuss mechanisms to formalize their participation and integration in PCC activities. Ask for suggestions on how the municipality could be more transparent and effective in information sharing. Provide financial audit reports to the residents. Provide regular information (at least on a quarterly basis) on the development of the actual versus planned activities. Make informational materials available in the municipal library, on the website and in other spots accessible to residents.

Recommendation 2: Promote continuous capacity building activities with PCC officials, community leaders and the communities themselves, in terms of CCA and DRR, through seminars, lectures, competitions and inter-school and inter-districts competitions, etc.

NEW ORGANIC UNITS – FUND FOR REDUCTION OF URBAN POVERTY (FERPU)

The procedure for allocating funds for small community projects, made available under the Program for Poverty Reduction (PPR), are not having the expected return, either due to mismanagement or due to misappropriation of funds for personal profit by the beneficiaries. The process for assessing the projects is not being done well given that the amount allocated does not match with that the borrower needs to implement it. The trainings are not also having the expected effects and monitoring and follow-up is not performed on a regular basis.

FERPU management is not reflected in any roles assigned to any sections of the Organizational Chart or Statutes. The staff has overlapping tasks and there are moments in

which they are faced with a lot of pressure, in particular when program has to be launched, when undertaking seminars and trainings, in the evaluation of proposals and in the designing of contracts with the borrowers. This alone, can determine the quality of the analysis done to projects and program assessments.

Recommendation 1: It is necessary, on one hand, to review the quality of materials, the training time and the capacity of trainers. On the other hand, there is a need to create, along with government institutions, a mechanism of accountability for beneficiaries who divert funds for their own benefit.

Recommendation 2: The ToRs of the staff assigned to the FERPU Program should be able to safeguard this aspect.

EMERGENCY MECHANISMS

The Risk Management Committees (RMC) are bodies created by DMI in the communities to manage crisis situations in the districts. It is presumed that there are RMC, in the districts, of which the Chairman of the Committee is also the Secretary of the District. Although the municipality states that they have RMC in three districts, we only confirmed the existence of this body in the district of Cariacó. Given the fact that these are bodies created in order to cope with emergencies, instead of remaining inactive for a long time, it is necessary to activate them so that they are prepared to serve the purpose for which they have been established (usually because they lack resources, preparation or adequate training). Moreover, the Committees are created by DMI and the municipality does take any responsible for them.

Recommendation: Discuss with the DMI how far does the responsibility of the parties go, in relation to Local Committee for Disaster Risk Management (CGR) members and define what additional role they can play when they are not in an emergency situation. Provide regular training related to the most common emergency situations, such as preparedness actions, prevention and management of floods, cyclones, etc.

It remains unclear as to who, at the county level, triggers the alert mechanism in case of an emergency. It falls to the DMI to activate the red alert status in case of natural disasters and lead the process. According to art. 45, No. 1 of the Act. No. 2/97, this is the Municipal Assembly's role. The article further states that "the state of emergency should be declared by the Municipal Assembly. However, the administrative process of the inspection is done by the City Council."

Recommendation: Ascertain from the competent authorities which mechanism the municipality must implement in order to comply with the Act. Regarding mechanisms of community communication, it would be interesting to create a citizen hour on the radio and TV with messages, discussions, dissemination of messages on CCA issues and civic education on how to pay taxes, when and what the tax money is used for, etc.

QUELIMANE CITY COUNCIL

POLITICAL ENVIRONMENT

The political divide between parties is clearly noticeable when one is operating on the ground. This aspect can be seen at all levels and tends to be more antagonistic at the higher levels. This question cannot be ignored because it affects the entire normal functioning of institutions and can undermine project implementation. On one hand, the lack of trust

between Quelimane City Council (QCC) and other public institutions hinders information sharing and communication that should be in the public domain. On the other hand, within the county there is distrust among colleagues and a lack of collaboration in general, which compromises the normal functioning of QCC. At the community level, although this distinction exists between the parties, people live and participate more openly because they want to see their basic problems solved.

Recommendation: This issue has to be dealt with at the highest levels.

INSTITUTIONAL WEAKNESSES OF THE MUNICIPALITY

If we ask ourselves if QCC is prepared to face CCA problem, we can say that it does not have an appropriate organizational structure or resources to do so. This leads to a cascade of problems that have been identified, discussed below.

DELEGATION OF RESPONSIBILITIES

The top positions are assigned based on trust and not on the basis of competence. This fact originates in the lack of observance of basic rules and procedures in the administrative proceedings in all portfolios. Still, there is no hierarchy on the delegation of tasks to the different decision-making levels, which leads to overload of the City Council's President and consequent delays in documents that have been submitted.

Recommendations: Decentralization is an imperative. Given that the *vereadores* are people appointed based on political trust, and do not necessarily work on a full time basis, the department directors and other key staff should be selected based on the criteria of technical competence. If this is not possible, they go through a capacitation as a means to ensure that they have the necessary skills and are held accountable for their own acts. The Municipality should rethink its role and start playing its role as an organization that provides services to its citizens, and not continue regarding itself as a mere State institution.

PLANNING PROCESS

Quelimane City Council is currently undertaking a process of reviewing its entire organic and functional framework. It is a time consuming process that demands a lot of energy of the few qualified staff available to do so and as such, is not taking place in accordance with the anticipated timetable. We must consider that, in the meantime, the internal and external pressures relative to the demand for services by the communities should also be answered satisfactorily. Although, we must take into account the weak technical capacity for implementation of the staff, coupled with inexperience of the proceedings for conducting certain processes. It is also worth noting that the City only has three months to finalize revising its organizational structure, normative documents, as well as preparation of short and long term plans and still be able to meet the ordinary day-to-day demands.¹

Recommendation: The QCC is in need of immediate short term technical assistance (STTA) for preparation of Medium and Long-term Plans. MICOA and UEM which has the Faculty of Architecture and Physical Planning (FAPF) can assist in the preparation of land plans and training of personnel on matters related to standards, laws and regulations of the land. Regarding the Five-Year Plan and the Participatory Budgeting Process, MAE or ANAMM may support or provide assistance.

¹ From August 2014 to February 2015 all the attentions will be focused on the Presidential Elections.

HUMAN RESOURCES

There is a weak technical Human Resources capacity of the municipality for revising regulatory documents, the organic structure, and conducting administrative processes for staff for submission to the Administrative Court. The Municipality does not yet have a Human Resources Director (HRD). The HRD is critical in the restructuring process due to its contribution and assistance to other sectors.

Recommendation: The HRD requires immediate STTA for completion of work in progress. The Committee of Administration and Finance should target intensive actions towards its internal reorganization because that is where most of the municipal management problems. Therefore, we propose the following:

1. Appoint a qualified HR Director and experienced in human resources management and leadership skills. HRD must master issues like the General Staff Regulations for Public Servants/Officials and Agents (EGFAE), Labor Law, etc.;
2. Define the structure of the department and prepare ToRs for each function/role/position in harmony with the Organizational Chart and Organic Statute that is being designed;
3. Redistribute the existing qualified staff, in the key areas of the department;
4. Hold people accountable;
5. Empower them in specific areas considering the nature of the functions/roles assigned to them, including training courses in basic computer skills (Word, excel, PowerPoint, internet, Access).
6. Speed up the installation and utilization of the integrated computer software a “Dream Soft” in the HR component.
7. Establish partnerships with IFAPAs (Training Institute for Public Administration) to supplement the training of administrative staff with after-work short training.

FINANCIAL RESOURCES

The council needs to reduce its current expenditure structure and expand its tax base to improve its efficiency in order to better respond to the needs and demands of the citizens. The lack of knowledge about the tools and procedures necessary to capture taxes results in a situation whereby most of the revenue comes from fees. Thus, there are a lot of missed opportunities of collecting larger-scale taxes and of more consistency for municipal budget, such as IPRA, SISA and the Tourist Tax.

NEW ORGANIC UNITS – UGEA AND FERPU

The new units created do not feature in the functions referred to in any of the sections of the Organic Statute or Organizational Chart. The staff has overlapping tasks and there are various bottle necks, particularly when they are involved in the preparation of tenders, preparation of contracts, etc.

Recommendation 1: The ToRs of employees assigned to these units must safeguard this particular aspect. Employees should be trained technically and in terms of professional ethics and deontology. The Functional Unit and Procurement Supervisor (UFSA) is the institution that can provide assistance in this matter.

Recommendation 2: FERPU- The relationship with the National Institute of Employment and Vocational Training (INEFP) is not being properly utilized. INEFP was created to provide technical and vocational training in different areas: construction, carpentry, metal work, electricity, plumbing, small business management, computers, crafts, cooking, catering,

among others. The Government has financial mechanisms for equipping these schools. The municipality may also apply for PIREP (Integrated Program for Reform of Vocational Education) funds. Quelimane's population is rapidly increasing. There is a need to build the capacity of those who are unable to enroll and undertake long-term training, in skills for work. The curriculum of the training can be adjusted to include the component of CCA. At the end of the training the trainees would be encouraged to cluster and establish associations of fishermen, masons, carpenters, etc. and to apply for funds.

MATERIAL RESOURCES

QCC operates in four buildings, located in different areas of the city. The dispersal of premises only increases the difficulties in the management of the scarce resources available (i.e. transport, communication, and time). Many employees lack basic work equipment. Some use their personal computers, with risk of loss and information safety since there are no backup systems. On the other hand, the lack of funds for repairing and maintenance of the equipment and the lack of technical assistance companies contributes to its ineffectiveness. Compounding the situation, many employees do not know how to operate the equipment or work tools available due to lack of training.

Recommendations:

1. In a first phase, reorganize the critical Departments of QCC (i.e. HRD, DAF, DUC) and allocate working equipment (computers, printers, cartographic maps, legislation, etc.) accordingly.
2. Train the staff in the use of this equipment and hold them accountable for its correct use and conservation.
3. The City Council should have an internal library with all the municipal and relevant documentation of public interest so that it can be accessed by the staff, residents, and students doing internships and partners. The Mozambican Association of Municipalities and the Ministry of State Administration (MAE) could facilitate this process. Another thing that could be done would be to insert in the Statutes of the Municipality, the obligations of each Department having legal documents available for consultation. The Legal Department can keep these data updated and make them available to the corresponding sectors. The Legal Office staff should be trained in municipal legislation, environmental and land legislation so that they can support the correct implementation of these laws and regulations.
4. Set up partnership with Millpáginas, with whom it already has a PPP, to provide support to the computer equipment, while seeking for other local solutions, one of which could be with the academic institutions with students doing computer course.

EMERGENCY MECHANISMS

It is unclear who, at the county level, triggers the alert mechanism in case of emergency. It falls to the INGC to activate the red alert in situations of natural disasters and lead the process. However, according to art. 45, No. 1 of the Act. N. /97 this is the role of the Municipal Assembly. The same law states that "the state of emergency should be declared by the Municipal Assembly. However, the administrative process of the inspection is done by the City Council."

Recommendation: Ascertain from the competent authorities what mechanism should be implemented to comply with the Act. Regarding community communication mechanisms, it would be interesting if specific radio and TV programs could be created like a citizen hour

conveying messages, debates, disseminating ideas and CCA issues and civic education such as paying taxes, when and how is the tax money collected and what it is used for, etc.

CIVIL SOCIETY ORGANIZATIONS

There are CSOs that work with the communities have significant potential, can implement activities and convey messages related to CCA and DRR, namely: universities, NGOs, media, private sector, and religious organizations. Nevertheless, they seem to not know how to interact with the municipality.

Recommendations:

1. Hold a meeting with all the CSO and discuss the best approach to promote their involvement of CCA and DRR in the Municipality.
2. Support and promote the creation of the “Municipal Monitor.”
3. Establish a specific sector within the Municipality to cater for the issues related to CSO.

ACADEMIC INSTITUTIONS

Academic institutions also hold potential for cooperating with QCC in various matters of common interest, but do not know how to operationalize this cooperation.

Recommendations:

1. Extend an invitation to the academic institutions to discuss what mechanisms would be more efficient, be it Memorandums of Understanding, Cooperation Agreement or other.
2. Accept internees for people studying courses linked to CCA, DRR and other technical areas.
3. Suggest research work, final monographs of last stage of schooling linked to subject matters that are of the interest of the municipality.
4. Promotes seminars, contests and debates on issues of the interest of the municipality.
5. Invite students and lecturers to do guided study visits to risk prone areas and request proposals of solutions for problems or betterment.

PUBLIC-PRIVATE PARTNERSHIPS

QCC is currently developing different types of initiatives with a view to improve management and service providing to the citizens, namely: public companies (EMUSA), management contracts (public toilets), and the private sector (Millpaginas).

Recommendations:

1. The establishment of the Municipal Sanitation Company (EMUSA) mirrors QCC’s concern in answering to CCA and DRR issues. However, given that it is a public private company, created by QCC, it is necessary to design the Statutes in order to abide to the articles of the Law 6/2012 of 8th of February. This public company (PC) should not be an economic or management burden for the municipality. On the other side, PCs are created to protect the social and strategic interests of the municipality.
2. The management contracts appear to be a good initiative in the sense that they do not generate any direct burden to the municipality, given that they are managed by private entities. However, the interests of the parties must be taken into account when

drafting the contracts, in particular, concerning the responsibility of each party in regards to the maintenance and preservation of the public good.

3. The partnerships with the small companies, on the basis of exchange of services, such as the case of the Millpaginas, are feasible because they are not a burden to the municipality, they promote their image in terms of service providing, benefit the communities and the PAs who now start to benefit from a service that is necessary and accessible.

GOVERNMENT INSTITUTIONS

As previously referred to, due to political issues, distrust among government institutions and the municipality hinders this close relationship that should be established. Generally, the communication only happens when there is need for information and data.

Recommendation: It would be of great value if QCC could take the initiative to approach Government institutions that can provide training and provide data, such as MAE, DPPF, INGC, MICOA, etc. and design a joint training plan on issues of municipal legislation, operational administrative and financial procedures, considering the schedule of these institutions and the availability of municipal technical staff.